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Filed: October 6, 1999  
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## **RESPONSE**

The specification has been amended to claim priority to earlier filing date and to cross reference to other applications in accordance with 37 CFR § 1.78. The present Application now claims priority under U.S.C. § 120 to U.S. Applications 09/300,585 (issued as U.S. patent 6,130,774, hereinafter "Albert I") and 09/141,105 (issued as U.S. patent 6,067,185, hereinafter "Albert II"). Applicants note that, according to 37 CFR § 1.78(a)(1), in order to claim the benefit of a prior-filed copending application, each prior-filed application must name as an inventor at least one inventor named in the present Application. The co-inventors in both Albert I and Albert II were Jonathan D. Albert and Barrett Comiskey, both named in the present Application. As to copendency, Albert I was not issued until October 10, 2000 and Albert II was not issued until May 23, 2000, both after the present Application was filed on October 6, 1999.

Applicants further note that according to 37 CFR § 1.78 (2)(ii)(B), since the present Application was filed before November 29, 2000, making reference in the present Application to a prior-filed application is not subject to the timing requirement specified in 37 CFR § 1.78(a)(2)(ii).

A Supplemental Application Data Sheet is also submitted in accordance with 37 CFR § 1.76(c) to update related priority information in the application data sheet previously submitted on October 6, 1999.

Claims 1-3, 5-7, 9, 12-39, 92, 94, and 98-101 were pending in the Application, all of which are canceled without prejudice by the present Amendment. New claims 102-166 are hereby added and presented for consideration. The majority of the new claims are supported by claims 1-97 as originally filed. Examples of support in the specification for the rest of the new claims are detailed as follows:

Claims 102 and 192: page 3, lines 1-7;

Claim 140: page 28, lines 20-22;

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Claims 141 and 196: page 10, lines 2-8; page 14, lines 3-12; and FIGS. 5A-5B;

Claims 142 and 143: pages 3 and 4;

Claim 144: page 21, lines 19-20;

Claim 145: page 13, lines 12-19;

Claim 147: page 44, line 14-page 45, line 5;

Claims 153 and 154: pages 36 and 37;

Claims 155-158: pages 21-23;

Claims 159-162: pages 15-19;

Claim 163: page 40, lines 19-21.

Claim 164: page 31, lines 8-9;

Claim 165: page 16, lines 1-9;

Claim 166: page 45, lines 7-15.

Applicants respectfully submit that no new matter is introduced by the present Amendment. A marked-up copy of the amended specification and a clean copy of the pending claims are attached.

#### **Information Disclosure Statement**

The Examiner has requested Applicants to update the status of the related applications cited in an IDS filed on February 14, 2000. Applicants hereby provide an updated list of the non-provisional applications cited in the IDS (all the provisional applications have expired) through a second PTO-1449 as requested by the Examiner. Specifically, those non-provisional applications are listed as A277-A317 in the accompanying, second PTO-1449. Copies of patents, application publications, and pending U.S. applications cited in the accompanying PTO-1449, including A277-A317 are provided in accordance with 37 CFR § 1.98.

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### **Rejections Under 35 U.S.C. § 102**

Claims 1-3, 5-7, 9, 12-26, 31-39, 92, 94, and 98-101 were rejected under 35 U.S.C. § 102(e) as being anticipated by Albert II.

Applicants have amended the specification to claim priority under 37 CFR § 1.78 to Albert II. Therefore, Albert II is no longer prior art against the present application. Accordingly, Applicants respectfully request the § 102 rejections be reconsidered and withdrawn.

### **Rejections Under 35 U.S.C. § 103**

Claims 27-30 were rejected under 35 U.S.C. § 103(a) as being unpatentably obvious over Albert II.

As described above, Albert II is no longer prior art against the present application. Accordingly, Applicants respectfully request the § 103 rejections be reconsidered and withdrawn.

### **SUMMARY**

Upon entry of the present Amendment, claims 102-166 are pending and presented for reconsideration. Applicants respectfully submit that no new matter is introduced by the present Amendment.

Applicants request that the Examiner reconsider the application and claims in light of the foregoing Amendment and Response, and respectfully submit that all the pending claims, as amended, are in condition for allowance. If, in the Examiner's opinion, a telephonic interview would expedite the favorable prosecution of the present application, the undersigned attorney would welcome the opportunity to discuss any outstanding issues, and to work with the Examiner toward placing the application in condition for allowance.

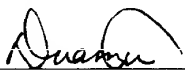
A petition for three-month extension to include September 20, 2002, and the appropriate extension fee are submitted along with this paper. In the event that any additional fees under 37

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CFR 1.16 and 1.17 are required by this paper, the Commissioner is hereby authorized to charge any such fees to Attorney's Deposit Account No. 20-0531.

Respectfully submitted,

Date: September 12, 2002  
Reg. No. (Limited Recognition  
Under CFR 10.9(b))  
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